



DEPARTMENT of the INTERIOR

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WETLANDS TO BENEFIT FROM NEW AGREEMENT BETWEEN INTERIOR AND ARMY, AS WELL AS "SWAMPBUSTER" PROVISION IN FARM BILL

Interior Secretary Don Hodel said today that a new memorandum of agreement between the Interior Department and the U.S. Army Corps of Engineers, coupled with the "Swampbuster" provision contained in farm program legislation recently signed by the President, hold significant promise for improved wetlands conservation in America.

The agreement provides new procedures and guidelines for the Corps and the U.S. Fish and Wildlife Service to follow in administering Section 404 of the Clean Water Act, a provision that regulates dredge and fill activities in many wetland areas.

In a related development, the President has signed the farm bill with the so-called "Swampbuster" provision that denies farm program benefits to any person who, in the future, converts wetlands to agricultural production. Recent Fish and Wildlife Service studies have shown that approximately 87 percent of this Nation's total wetlands loss comes from agricultural conversion.

"Our remaining wetlands are vital natural resource assets," Secretary Hodel said. "Their importance in supporting a diversity of fish and wildlife species is well known, but they also serve an important role in providing a natural form of flood control, filtering impurities from water supplies, and replenishing groundwater levels. I am confident these recent actions can help to stem the loss of our wetlands to various kinds of development."

The new memorandum of agreement with the Corps, the agency responsible for issuing permits for development projects involving dredge and fill activities, formalizes the Fish and Wildlife Service's role in determining the impacts on fish and wildlife resources and recommending alternatives to minimize or eliminate negative impacts of a given project.

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The new procedures call for greater cooperation and communication between Service biologists and Corps personnel in resolving differences before permits are issued.

"I hope the spirit of cooperation embodied in this new agreement will make elevation of a permit application to higher levels a relative rarity," Hodel said. "I consider this a major step forward in wildlife and wetlands conservation."

The elevation process calls for review of permit applications at increasingly higher levels in the agencies if no agreement is reached at lower levels on how the needs of wildlife can be met in stipulations attached to a permit. Under the old agreement, permit applications could be elevated only on the grounds of procedural questions or issues considered to be of national significance, not local environmental or wildlife concerns. The new document establishes these latter concerns as issues of valid consideration. It also requires the Corps at the District level to notify the wildlife agency if it rejects any recommendations provided by the wildlife agency during the consultation process.

The document also contains general rules adopting the Council of Environmental Quality's codified definition of environmental mitigation. This is a prioritized listing of alternatives ranging from avoiding the environmental loss to minimizing or compensating for a project's negative impact on wetland habitat.

Less than half of the estimated 215 million acres of wetlands that once existed in the U.S. remain today. In addition, recent studies by the Service estimate that current wetland losses amount to over 400,000 acres per year.

On an acre-per-acre basis, wetlands are among the most biologically productive areas and provide habitat for numerous wildlife species, most notably pernaps, waterfowl and waterbirds. The relatively shallow waters of wetlands are also used by many fish species as nurseries for their young.

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